

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.:	09/698,310)	
Applicants:	William L. Reber)	Confirmation No. 6204
)	
Filed:	October 27, 2000)	
)	
For:	Method and System for)	
	Facilitating Tasks Using)	This response was electronically filed using
	Images and Selections from)	the USPTO's EFS-Web.
	Object Class and Task Menus)	
)	
TC/A.U.:	3627)	
)	
Examiner:	James A. Kramer)	
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)	
Docket No.:	83528)	
)	
Customer No.:	22242)	

RESPONSE TO NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action dated September 13, 2006, as entered in the above-captioned matter, the applicants' Appeal Brief was identified as defective for failing to provide an appropriate summary of claimed subject matter. No specific issues were identified by the Examiner with respect to this observation aside from arguing generally that "the summary of claimed subject matter fails to identify and map each independent claim to the specification by page and line number and to the drawings, if any."

The applicant has carefully reviewed the summary section and, with all due respect, finds the present text to be fully compliant with the requirements of 37 C.F.R. §41.37. Particular

reference was made by the Examiner with respect to the requirements of 35 C.F.R.

§41.37(c)(1)(v). That section first requires:

A concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawings, if any, by reference characters.

This is exactly what the present summary section in the Appeal Brief provides. The subject matter of the independent claims is presented, in prose format, including references to the specification by page and line number (via corresponding footnotes) as well as reference characters. As to the latter requirement, the summary section even includes presentations of the figures that are referred to in this way.

This portion of the Code of Federal Regulations then provides as follows:

For each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of paragraph (c)(1)(vii) of this section, every means plus function and step plus function as permitted by 35 U.S.C. §112, 6th paragraph, must be identified and the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters.

There are no independent or dependent claims being presented for argument that include a means plus function or step plus function recitation. Therefore, this section of 35 C.F.R.

§41.37(c)(1)(v) is not applicable.

There are no other specific requirements set forth in the Code of Federal Regulations. In particular, there is no requirement that a “map” of some kind be provided in this regard as is suggested by the Examiner. The applicant therefore respectfully submits that the summary of

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Notice of Non-Compliant Appeal Brief dated September 1, 2006

Response to Non-Compliant Appeal Brief dated September 22, 2006

claimed subject matter section of the Appeal Brief is fully compliant with the requirements of the Code of Federal Regulations and is in suitable condition to support consideration by the Board.

Respectfully submitted,

By: 

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Date: September 22, 2006

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